

*United States Attorney
Southern District of New York*

February 23, 2024

The Honorable Katherine Polk Failla
United States District Judge
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: United States v. Esteban Cabrera da Corte, et al., 22 Cr. 437 (KPF)

MOTION TO DELAY SURRENDER

Dear Judge Polk Falilla,

The defendant respectfully submits this letter requesting a Motion to delay the surrender of the defendant Esteban Cabrera da Corte, which is scheduled for March 1, 2024, at the institution designated by the Bureau of Prisons (BOP). The defendant was sentenced on November 29, 2023, by this Honorable Court to a period of 63 months. At that time, the Court permitted the defendant to surrender to the institution on the above-mentioned date. At the time of the sentence, the Court mentioned that if the Bureau of Prison has not designated the defendant prior to the date of the surrender, to advise the Court and request the Court a motion to delay surrender until the time that the designation by the BOP was completed.

At the present time, there is still no designation of a facility for Mr. Cabrera da Corte; we are requesting a delay in the surrender of the defendant for a period of 45 days for the Bureau of Prisons to complete the designation. After inquiring from the BOP there is still not a facility

designated for the defendant in which to surrender. The defendant respectfully requests through the undersigned that the delay in surrender is continued for a period of 45 days in which to obtain the proper designation of the institution as properly requested and granted at the time of sentence.

As proof of our attempts to complete the voluntary surrender, the undersigned has requested the BOP information and inquired in order to complete the mechanics. Attached is a letter from the office paralegal requesting the BOP for information.

The defendant requests an additional 45 days to allow to complete the task to properly surrender to the institution.

Wherefore, the defendant requests that the Court enter an order delaying the surrender for the requested days.

This request is being made in good faith and following the directions of the Court.

Respectfully submitted,

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/s/ Oscar S. Rodriguez
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SO ORDERED:

Judge Katherine Polk Failla

cc: Emily Deininger
Assistant United States Attorney

Application GRANTED. Defendant's surrender date is hereby
ADJOURNED to **April 15, 2024**.

The Clerk of Court is directed to terminate the pending motion
at docket entry 116.

Dated: February 26, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE